

**EIGHTY-FOURTH GENERAL ASSEMBLY  
2012 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 27, 2012

**HOUSE FILE 2450**

**H-8333**

1 Amend House File 2450 as follows:  
2 1. Page 1, line 2, by striking <prohibited>  
3 2. Page 1, after line 8 by inserting:  
4 <1A. Notwithstanding subsection 1, a local  
5 authority that has established an automated traffic law  
6 enforcement program prior to the effective date of this  
7 Act shall terminate the program at the earliest date  
8 possible as follows:  
9 a. If the local authority has entered into a  
10 contract for equipment or services relating to  
11 automated traffic law enforcement systems prior to  
12 the effective date of this Act, the city may continue  
13 to use an automated traffic law enforcement system  
14 or systems to the extent necessary to hold the city  
15 harmless under the terms of the existing contract. A  
16 city that continues using an automated traffic law  
17 enforcement system on or after the effective date of  
18 this Act, as authorized under this paragraph, shall not  
19 extend or renew a contract, or enter any new contract,  
20 for automated traffic law enforcement system equipment  
21 or services on or after the effective date of this Act.  
22 b. Upon the expiration of all prior contracts for  
23 the use of automated traffic law enforcement systems,  
24 a local authority's ordinance authorizing the use of  
25 automated traffic law enforcement systems is void.  
26 However, notices of violations mailed or citations  
27 issued pursuant to such an ordinance prior to the date  
28 the ordinance becomes void shall not be invalidated  
29 under this section and shall be processed according  
30 to the provisions of the law under which they were  
31 authorized.>  
32 3. Page 1, by striking lines 18 through 32.  
33 4. Title page, line 1, by striking <prohibiting>  
34 and inserting <relating to>  
35 5. By renumbering as necessary.

**By** T. OLSON of Linn

**H-8333** FILED MARCH 26, 2012

HOUSE FILE 2450

H-8334

- 1 Amend House File 2450 as follows:
- 2 1. Page 1, after line 8 by inserting:
- 3 <1A. Notwithstanding subsection 1, a local
- 4 authority that is using an automated traffic law
- 5 enforcement system prior to the effective date of this
- 6 Act may continue to use the system if the authority
- 7 certifies to the department of public safety that the
- 8 use of the automated traffic law enforcement system has
- 9 improved traffic safety at the location or locations
- 10 where it has been in use. The certification shall
- 11 be accompanied by documentation containing data to
- 12 support the claim of improved traffic safety. A local
- 13 authority that submits a certification under this
- 14 subsection may continue to use an automated traffic
- 15 law enforcement system that is covered under the
- 16 certification pursuant to the authorizing ordinance of
- 17 the local authority.>
- 18 2. Page 1, by striking lines 22 through 25 and
- 19 inserting <enforcement system shall discontinue
- 20 using the system and remove all automated traffic law
- 21 enforcement system equipment from the highways on or
- 22 before July 1, 2012, unless the local authority has
- 23 submitted certification to the department of public
- 24 safety pursuant to section 321.5A, subsection 1A, as
- 25 enacted by this Act.>
- 26 3. Page 1, by striking line 26 and inserting:
- 27 <2. Except as provided in section 321.5A,
- 28 subsection 1A, as enacted by this Act, on July 1, 2012,
- 29 all local>
- 30 4. Page 1, line 28, by striking <However, notices>
- 31 and inserting <Notices>
- 32 5. Page 1, line 29, by striking <such>
- 33 6. Title page, line 1, by striking <prohibiting>
- 34 and inserting <relating to>
- 35 7. By renumbering as necessary.

**By** T. OLSON of Linn

H-8334 FILED MARCH 26, 2012

HOUSE FILE 2450

H-8343

1 Amend House File 2450 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. Section 331.307, Code 2011, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 14. a. Notwithstanding any other  
7 provision of law, civil fines collected by a county  
8 from the use of an automated traffic law enforcement  
9 system shall be allocated as follows:

10 (1) The amount necessary to satisfy contractual  
11 obligations of the county relating to the use of  
12 automated traffic law enforcement systems shall be  
13 retained by the county for that purpose.

14 (2) Of the moneys in excess of the amount necessary  
15 for the purpose specified in subparagraph (1), fifty  
16 percent shall be retained by the county and fifty  
17 percent shall be deposited in the account established  
18 in section 602.8108 for deposit in the road use tax  
19 fund.

20 b. For purposes of this subsection, "automated  
21 traffic law enforcement system" means a device with one  
22 or more sensors working in conjunction with a traffic  
23 control signal or device or a speed-measuring device to  
24 produce recorded images of vehicles being operated in  
25 violation of traffic or speed laws.

26 Sec. 2. Section 364.3, subsection 2, Code  
27 Supplement 2011, is amended to read as follows:

28 2. For a violation of an ordinance, a city shall  
29 not provide a penalty in excess of the maximum fine  
30 and term of imprisonment for a simple misdemeanor  
31 under section 903.1, subsection 1, paragraph "a". ~~An~~  
32 Except as otherwise provided in this subsection, an  
33 amount equal to ten percent of all fines collected by  
34 cities shall be deposited in the account established in  
35 section 602.8108. ~~However, one~~

36 a. One hundred percent of all fines collected by a  
37 city pursuant to section 321.236, subsection 1, shall  
38 be retained by the city.

39 b. Civil fines collected by a city from the use of  
40 an automated traffic law enforcement system shall be  
41 allocated as follows:

42 (1) The amount necessary to satisfy contractual  
43 obligations of the city relating to the use of  
44 automated traffic law enforcement systems shall be  
45 retained by the city for that purpose.

46 (2) Of the moneys in excess of the amount necessary  
47 for the purpose specified in subparagraph (1), fifty  
48 percent shall be retained by the city and fifty percent

49 shall be deposited in the account established in  
50 section 602.8108 for deposit in the road use tax fund.

H-8343

-1-

**H-8343**

Page 2

1 (3) For purposes of this subsection, "automated  
2 traffic law enforcement system" means a device with one  
3 or more sensors working in conjunction with a traffic  
4 control signal or device or a speed-measuring device to  
5 produce recorded images of vehicles being operated in  
6 violation of traffic or speed laws.

7 c. The criminal penalty surcharge required by  
8 section 911.1 shall be added to a city fine and is not  
9 a part of the city's penalty.

10 Sec. 3. Section 602.8108, Code Supplement 2011, is  
11 amended by adding the following new subsection:

12 NEW SUBSECTION. 11. The clerk of the district  
13 court shall forward to the treasurer of state all  
14 moneys received from counties pursuant to section  
15 331.307, subsection 14, and from cities pursuant to  
16 section 364.3, subsection 2, paragraph "b", for deposit  
17 in the road use tax fund.>

18 2. Title page, by striking lines 1 and 2 and  
19 inserting <An Act providing for the disposition of  
20 fines collected by a city or county pursuant to an  
21 automated traffic law enforcement program.>

By MURPHY of Dubuque

**H-8343** FILED MARCH 26, 2012

**HOUSE FILE 2449**

**H-8335**

1 Amend [House File 2449](#) as follows:

- 2 1. Page 35, by striking lines 14 through 21.
- 3 2. Page 35, by striking line 24.
- 4 3. By renumbering as necessary.

By LENSING of Johnson

**H-8335** FILED MARCH 26, 2012

**HOUSE FILE 2449**

**H-8336**

1 Amend [House File 2449](#) as follows:

- 2 1. Page 10, by striking lines 13 through 29.
- 3 2. By renumbering, redesignating, and correcting
- 4 internal references as necessary.

By LENSING of Johnson

**H-8336** FILED MARCH 26, 2012

**HOUSE FILE 2449**

**H-8337**

1 Amend [House File 2449](#) as follows:

- 2 1. Page 9, by striking lines 12 through 15.
- 3 2. By renumbering as necessary.

**By** HALL of Woodbury  
GASKILL of Wapello

H-8337 FILED MARCH 26, 2012

HOUSE FILE 2449

H-8338

1 Amend House File 2449 as follows:

2 1. By striking page 2, line 10, through page 5,  
3 line 8, and inserting:

4 <DIVISION \_\_\_\_

5 SPAN OF CONTROL

6 Sec. \_\_\_\_\_. SPAN OF CONTROL COMPLIANCE.

7 1. The department of management, in collaboration  
8 with the department of administrative services,  
9 shall comply with the requirements of section 8A.402,  
10 subsection 2, paragraph "g", concerning the ratio of  
11 supervisory employees to other employees in executive  
12 branch agencies.

13 2. In complying with the requirements of subsection  
14 1, the department of management shall, by July 31,  
15 2012, do all of the following:

16 a. Ensure that a five-member review board as  
17 described in section 8A.402, subsection 2, paragraph  
18 "g", is established.

19 b. Submit a report to the general assembly  
20 documenting, for all applicable executive branch  
21 agencies, whether the executive branch agency  
22 has met the target aggregate ratio as provided in  
23 section 8A.402, subsection 2, paragraph "g", has  
24 been granted an exception to the policy through the  
25 executive council, or has been granted a waiver by the  
26 five-member review board.

27 3. Notwithstanding any provision of law to the  
28 contrary, any appropriation from the general fund  
29 of the state to the department of management for the  
30 fiscal year beginning July 1, 2012, and ending June  
31 30, 2013, shall be reduced by ten percent if the  
32 department of management fails to comply with all of  
33 the requirements of subsection 2.

34 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
35 of this Act, being deemed of immediate importance,  
36 takes effect upon enactment.

37 DIVISION \_\_\_\_

38 HEALTH INSURANCE TASK FORCE

39 Sec. \_\_\_\_\_. STATE EMPLOYEE HEALTH INSURANCE TASK  
40 FORCE.

41 1. A state employee health insurance task force  
42 is created under the authority of the legislative  
43 council. Members of the task force shall be appointed  
44 by the legislative council and shall include but  
45 not be limited to members of the general assembly;  
46 representatives of employee organizations representing  
47 state employees; representatives of employers of  
48 state employees, including the judicial branch;

49 representatives involved in administering employee  
50 health benefits from the department of administrative  
H-8338 -1-



1 services; and representatives from insurers providing  
2 group health insurance to state employees.

3 2. The task force shall examine all aspects of  
4 providing health care coverage to state employees  
5 and their families with the goal of providing quality  
6 health care coverage at an affordable cost. The task  
7 force shall examine strategies for reducing the cost  
8 of health care coverage, including but not limited to  
9 wellness and other comparable programs.

10 3. The task force shall submit a report, including  
11 its findings and recommendations, to the general  
12 assembly by December 31, 2012.>

13 2. By renumbering, redesignating, and correcting  
14 internal references as necessary.

**By** LENSING of Johnson

HOUSE FILE 2449

H-8340

1 Amend House File 2449 as follows:

2 1. Page 2, after line 11 by inserting:

3 <Sec. \_\_\_\_\_. Section 2.10, subsection 1, Code 2011,  
4 is amended to read as follows:

5 1. Every member of the general assembly ~~except the~~  
6 ~~presiding officer of the senate, the speaker of the~~  
7 ~~house, the majority and minority floor leader of each~~  
8 ~~house, and the president pro tempore of the senate~~  
9 ~~and speaker pro tempore of the house~~ shall receive  
10 an annual salary of twenty-five thousand dollars for  
11 the year 2007 and subsequent years while serving as  
12 a member of the general assembly. In addition, each  
13 such member shall receive a per diem, as defined in  
14 subsection 5, for expenses of office, except travel,  
15 for each day the general assembly is in session  
16 commencing with the first day of a legislative session  
17 and ending with the day of final adjournment of each  
18 legislative session as indicated by the journals of  
19 the house and senate, except that if the length of  
20 the first regular session of the general assembly  
21 exceeds one hundred ten calendar days and the second  
22 regular session exceeds one hundred calendar days,  
23 the payments shall be made only for one hundred ten  
24 calendar days for the first session and one hundred  
25 calendar days for the second session. Members from  
26 Polk county shall receive an amount per day equal to  
27 three-fourths of the per diem of the non-Polk county  
28 members. Each member shall receive a three hundred  
29 dollar per month allowance for legislative district  
30 constituency postage, travel, telephone costs, and  
31 other expenses. Travel expenses shall be paid at the  
32 rate established by section 8A.363 for actual travel  
33 in going to and returning from the seat of government  
34 by the nearest traveled route for not more than one  
35 time per week during a legislative session unless the  
36 general assembly otherwise provides.

37 Sec. \_\_\_\_\_. Section 2.10, subsection 2, Code 2011, is  
38 amended by striking the subsection.>

39 2. By renumbering as necessary.

**By** THOMAS of Clayton

H-8340 FILED MARCH 26, 2012

HOUSE FILE 2449

H-8341

1 Amend House File 2449 as follows:

2 1. Page 10, line 22, after <value.> by inserting  
3 <The request for a waiver, pilot project, or other  
4 approach shall not place an undue burden on any  
5 business involved in the distribution or retail sale  
6 of food items.>

7 2. Page 10, line 22, by striking <submitted> and  
8 inserting <submitted, following consultation with an  
9 association representing Iowa groceries,>

**By** THOMAS of Clayton

H-8341 FILED MARCH 26, 2012

SENATE FILE 451

H-8339

1 Amend Senate File 451, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 257.41, Code 2011, is amended  
6 to read as follows:

7 257.41 Funding for programs for returning dropouts  
8 and dropout prevention.

9 1. Budget. The budget of an approved program for  
10 returning dropouts and dropout prevention for a school  
11 district, after subtracting funds received from other  
12 sources for that purpose, shall be funded annually on  
13 a basis of one-fourth or more from the district cost  
14 of the school district and up to three-fourths by an  
15 increase in allowable growth as defined in section  
16 257.8. Annually, the department of management shall  
17 establish a modified allowable growth for each such  
18 school district equal to the difference between the  
19 approved budget for the program for returning dropouts  
20 and dropout prevention for that district and the sum of  
21 the amount funded from the district cost of the school  
22 district plus funds received from other sources.

23 2. Appropriate uses of funding. Appropriate uses of  
24 the returning dropout and dropout prevention program  
25 funding include but are not limited to the following:

26 a. Salary and benefits for instructional staff,  
27 instructional support staff, and school-based youth  
28 services staff who are working with students who  
29 are participating in dropout prevention programs,  
30 alternative programs, and alternative schools, in  
31 a traditional or alternative setting, if the staff  
32 person's time is dedicated to working with returning  
33 dropouts or students who are deemed, at any time  
34 during the school year, to be at risk of dropping out,  
35 in order to provide services beyond those which are  
36 provided by the school district to students who are  
37 not identified as at risk of dropping out. However,  
38 if the staff person works part-time with students who  
39 are participating in returning dropout and dropout  
40 prevention programs, alternative programs, and  
41 alternative schools and has another unrelated staff  
42 assignment, only the portion of the staff person's  
43 time that is related to the returning dropout and  
44 dropout prevention program, alternative program, or  
45 alternative school may be charged to the program. For  
46 purposes of this paragraph, if an alternative setting  
47 is necessary to provide for a program which is offered  
48 at a location off school grounds and which is intended

49 to serve student needs by improving relationships  
50 and connections to school, decreasing truancy and  
H-8339

1 tardiness, providing opportunities for course credit  
2 recovery, or helping students identified as at risk  
3 of dropping out to accelerate through multiple grade  
4 levels of achievement within a shortened time frame,  
5 the tuition costs for a student identified as at risk  
6 of dropping out shall be considered an appropriate use  
7 of the returning dropout and dropout prevention program  
8 funding.

9 b. Professional development for all teachers and  
10 staff working with at-risk students and programs  
11 involving dropout prevention strategies.

12 c. Research-based resources, materials, software,  
13 supplies, and purchased services that meet all of the  
14 following criteria:

15 (1) Meets the needs of kindergarten through grade  
16 twelve students identified as at risk of dropping out  
17 and of returning dropouts.

18 (2) Are beyond those provided by the regular school  
19 program.

20 (3) Are necessary to provide the services listed in  
21 the school district's dropout prevention plan.

22 (4) Will remain with the kindergarten through  
23 grade twelve returning dropout and dropout prevention  
24 program.

25 d. Up to five percent of the total budgeted amount  
26 received pursuant to subsection 1 may be used for  
27 purposes of providing district-wide or building-wide  
28 returning dropout and dropout prevention programming  
29 targeted to students who are not deemed at risk of  
30 dropping out.

31 3. Limitation.

32 a. For the fiscal year beginning July 1, 2013, and  
33 each succeeding fiscal year, the ratio of the amount of  
34 modified allowable growth established by the department  
35 of management compared to the school district's total  
36 regular program district cost shall not exceed such  
37 ratio for the school district for the fiscal year  
38 beginning July 1, 2011.

39 b. Notwithstanding paragraph "a", if a school  
40 district's ratio, as described in paragraph "a", for  
41 any fiscal year beginning on or after July 1, 2010,  
42 but before July 1, 2013, is less than two and one-half  
43 percent, the school district's ratio, for fiscal years  
44 beginning on or after July 1, 2013, may be an amount  
45 not to exceed two and one-half percent.

46 Sec. 2. APPLICABILITY. This Act is applicable to  
47 budget years beginning on or after July 1, 2013.>

48 2. Title page, line 3, after <prevention> by  
49 inserting <and including applicability provisions>

**By** DOLECHECK of Ringgold

H-8339 FILED MARCH 26, 2012

SENATE FILE 2123

H-8344

1 Amend the amendment, H-8284, to Senate File 2123, as  
2 passed by the Senate, as follows:

3 1. Page 3, after line 8 by inserting:

4 <(6) Mitragyna speciosa.

5 (7) Mitragynine.>

6 2. By renumbering as necessary.

By BAUDLER of Adair

H-8344 FILED MARCH 26, 2012

SENATE FILE 2316

H-8342

1 Amend the amendment, H-8328, to Senate File 2316,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 34, by striking <1,000,000> and  
5 inserting <2,700,000>

6 2. Page 8, by striking lines 37 and 38 and  
7 inserting <of state, ~~sixty-four million seven hundred~~  
8 fifty-four million fifty thousand dollars of the excess  
9 moneys directed to>

10 3. By renumbering as necessary.

By THOMAS of Clayton

H-8342 FILED MARCH 26, 2012

SENATE FILE 2321

H-8345

1 Amend the amendment, H-8327, to Senate File 2321,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 12, after line 39 by inserting:

5 <As a condition of receiving the appropriation in  
6 this paragraph, the university shall determine the  
7 base salary of an employee who is classified by the  
8 university in a ninety percent and not a full-time  
9 position during a pay period based upon the actual  
10 earnings of the employee during that pay period for  
11 purposes of retirement and insurance benefit purposes.>

By T. TAYLOR of Linn

H-8345 FILED MARCH 26, 2012



SENATE FILE 2321

H-8346

1 Amend the amendment, H-8327, to Senate File 2321,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 18, after line 45 by inserting:

5 <Sec. \_\_\_\_\_. Section 284.6, subsection 8, Code  
6 Supplement 2011, is amended to read as follows:

7 8. a. For each year in which a school district  
8 and an area education agency receives funds calculated  
9 and paid to school districts and area education  
10 agencies for professional development pursuant to  
11 section 257.10, subsection 10, ~~or~~ and section 257.37A,  
12 subsection 2, the school district and area education  
13 agency shall create quality professional development  
14 opportunities. The goal for the use of the funds  
15 is to provide one additional contract day or the  
16 equivalent thereof for professional development and  
17 use of the funds is limited to providing professional  
18 development to teachers, including additional salaries  
19 for time beyond the normal negotiated agreement; pay  
20 for substitute teachers, professional development  
21 materials, speakers, and professional development  
22 content; and costs associated with implementing the  
23 individual professional development plans. The use of  
24 the funds shall be balanced between school district,  
25 attendance center, and individual professional  
26 development plans, or area education agency and  
27 individual professional development plans, as  
28 appropriate, making every reasonable effort to provide  
29 equal access to all teachers.

30 b. Each school district and area education agency  
31 receiving funds under section 257.10, subsection 10,  
32 or section 257.37A, subsection 2, shall set aside  
33 up to three percent of such funds for purposes of  
34 compensating substitute teachers to temporarily replace  
35 teachers who are employed by accredited nonpublic  
36 schools located within the school district and area  
37 education boundaries and who are required to receive  
38 Iowa core curriculum professional development provided  
39 elsewhere than on accredited nonpublic school property.  
40 The substitute teacher shall be employed to teach only  
41 coursework that is nonsectarian. Funds set aside by  
42 a school district and area education agency pursuant  
43 to this paragraph shall be paid on a prorated basis  
44 to the area education agency providing the Iowa core  
45 curriculum professional development to the accredited  
46 nonpublic school teacher. The proration shall be  
47 based upon the amount of the professional development  
48 funds calculated and paid to the school district

49 under section 257.10, subsection 10, and the amount  
50 of the professional development funds calculated

H-8346

-1-

1 and paid to the area education agency under section  
2 257.37A, subsection 2. The area education agency  
3 providing the professional development to an accredited  
4 nonpublic school teacher pursuant to this paragraph  
5 shall reimburse the accredited nonpublic school for  
6 the compensation of the substitute teacher from the  
7 professional development funds available to the agency  
8 pursuant to this paragraph. If three percent of such  
9 funds identified in this paragraph are expended by  
10 school districts and area education agencies, this  
11 paragraph requires no further reimbursements.>  
12 2. By renumbering as necessary.

**By** ALONS of Sioux